

REMARKS/ARGUMENTS

In response to the Office Action dated April 15, 2009, claims 1 – 3, 5, 7 – 15, 18 -21, 31 – 35, 38 – 45, 47, and 49 – 54 are presented for examination, of which claims 1, 13, 31, 34, and 43 are independent. Claims 6, 17 and 48 have newly canceled. Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 101

Applicants thank the Examiner for the withdrawal of the § 101 rejection.

Allowable Subject Matter

Applicants thank the Examiner for the allowance of claims 34 - 35 and 38 - 42 and the indication of allowable subject matter in claims 6 - 12, 17 - 21, and 48 – 54. In this regard, the subject matter of claims 6, 17, and 48 have been incorporated into their respective independent claims and have been cancelled. Similar subject matter to that contained in these claims was also incorporated into independent claim 31. As such, all the claims in the application are seen to be in condition for allowance. Early passage to allowance is respectfully requested.

Claim Rejections – 35 USC § 102 and 35 USC § 103

Claims 1, 3, 13, 15, 31, 32, 43, and 45 are rejected under 35 USC § 102(b) as being anticipated by U.S. Pub. No. 2003/0044080 (published March 06, 2003, hereinafter “Frishman, et al.”). Claims 2, 14, 33, and 44 are rejected under 35 USC § 103(a) as being unpatentable over Frishman, et al. in view of U.S. Patent No. 6,529,634 (issued March 04, 2003, hereinafter “Thyagarajan, et al.”). Claims 5 and 47 are rejected under 35 USC § 103(a) as being unpatentable over Frishman, et al. in view of U.S. Patent No. 6,539,060 (issued March 25, 2003, hereinafter “Lee, et al.”). Given the amendments discussed above, these rejections are now seen to be moot. Reconsideration and withdrawal of these rejections are respectfully requested.

Application No. 10/802,285
Amendment dated July 15, 2009
Reply to Office Action of April 15, 2009

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: July 15, 2009

By: 

Matthew J. Evans, Reg. No. 56,530

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 651-7571
Facsimile: (858) 845-3983